

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty Dkt. 2350-73

DUPUIS et al

C# M#

Serial No. 09/341,241

TC/A.U.

1617

Filed: September 14, 1999

Examiner: Sharareh

Date: May 3, 2004

Title: COSMETIC OR DERMATOLOGICAL COMPOSITION IN THE FORM OF A GEL,
CONTAINING IN

Corres. and Mail
BOX AF

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.**

Fees are attached as calculated below:

Total effective claims after amendment	0	minus highest number		
previously paid for	20	(at least 20) =	0 x \$ 18.00	\$ 0.00

Independent claims after amendment	0	minus highest number		
previously paid for	3	(at least 3) =	0 x \$ 86.00	\$ 0.00

If proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)	\$ 0.00
--	---------

Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$2,010.00/5 months)	\$ 950.00
---	-----------

Terminal disclaimer enclosed, add \$ 110.00	\$ 0.00
---	---------

<input type="checkbox"/> First/second submission after Final Rejection pursuant to 37 CFR 1.129(a) (\$770.00)	\$ 0.00
---	---------

☐ Please enter the previously unentered, filed

☐ Submission attached

Subtotal \$ 950.00

If "small entity," then enter half (1/2) of subtotal and subtract	-\$ 0.00
---	----------

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee (\$180.00)	\$ 0.00
--	---------

Assignment Recording Fee (\$40.00)	\$ 0.00
------------------------------------	---------

05/04/2004 CCHAU1 00000140 09341241

01 FC:1253

950.00 0P

Other:

0.00

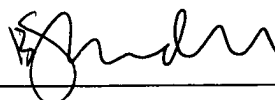
TOTAL FEE ENCLOSED \$ 950.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8th Floor
Arlington, Virginia 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
BJS:pp

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

DUPUIS et al

Atty. Ref.: 2350-73; Confirmation No.

Appl. No. 09/341,241

TC/A.U. 1617

Filed: September 14, 1999

Examiner: Sharareh

For: COSMETIC OR DERMATOLOGICAL COMPOSITION IN THE FORM OF A GEL,
CONTAINING IN

* * * * *

May 3, 2004

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER RULE 116

Responsive to the Office Action dated June 3, 2003, entry and consideration of the following remarks as well as the attached comparative tests, are requested. The period for response has been extended up to and including May 3, 2004, by submission of the attached three (3) month extension fee and three (3) month petition fee. A Notice of Appeal was filed December 3, 2003.

Claims 15-18 and 20-29 are pending.

The Section 103 rejection of claims 15-18 and 20-29 over Almaric (U.S. Patent No. 5,670,471), is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing comments as well as the attached comparative tests.